

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK**

PleasrDAO, an exempted foundation company,	-----X	
	:	
<i>Plaintiff,</i>	:	Case No. 24-cv-4126
	:	
	:	
v.	:	
	:	
Martin Shkreli,	:	
	:	
<i>Defendant.</i>	:	
	-----X	

**DECLARATION OF ROBERT CARNES IN SUPPORT OF PLEASRDAO’S APPLICATION
FOR A PRELIMINARY INJUNCTION, ORDER SEIZING ASSETS, AND ORDER FOR
DISGORGEMENT AND ACCOUNTING**

Robert Carnes declares as follows under 28 U.S.C. § 1746:

1. I am an associate at the law firm Reed Smith LLP, counsel for PleasrDAO (“PleasrDAO”).
2. I submit this Declaration in support of PleasrDAO’s Reply in Support of its Application for a Preliminary Injunction, Order Seizing Assets, and Order for Disgorgement and Accounting.
3. I am fully familiar with the facts and circumstances set forth below, and all the evidence set out in this Declaration is based on my personal knowledge. I submit this Declaration without any intent or authority to waive or prejudice any privilege or immunity held by PleasrDAO or any other client.
4. Upon information and belief, a YouTube video entitled “Martin Shkreli Plays Unreleased Wu-Tang” uploaded on November 9, 2016 by YouTube user @user-ud8ur5bn3z depicts Martin Shkreli playing the Album and stating, “*I actually have a contract with the Wu-Tang Clan where I’m not allowed to do this.* Obviously I own the music. And I bought it. And

I paid a lot of money for it. And in many ways the contract shouldn't matter that much, but . . . I'm also a man of my word. I got to keep my word to them [Wu-Tang Clan] too." The video is available at <https://www.youtube.com/watch?v=mJ4Tl894L6g>. The scene in question happens at the 3 minute and 5 second mark.

5. Upon information and belief, a YouTube video entitled "OXF 012 – Martin Shkreli proves that AI coin = scam, Wikipedia can't measure and girls hate WuTang" uploaded on May 13, 2024 by YouTube user @OX_Media depicts Martin Shkreli stating "A lot of people blamed me for, quote unquote, not releasing the album when, you know, I wasn't technically allowed to release the album." The video is available at <https://youtu.be/QpcYzfEA5nQ?si=w8yfy6gqse1602qu>. The scene in question happens at the 3 hour, 36 minutes, and 2 second mark.

6. Upon information and belief, a YouTube video entitled "Martin Shkreli on Getting Rich, Buying Wu-Tang Album, Going to Jail for Stock Fraud (Full Interview)" uploaded on June 24, 2024 by YouTube user @djvlad depicts Martin Shkreli stating "If I bought a \$5 million record that was worthless, I'd be upset too." The video is available at <https://www.youtube.com/watch?v=m15BaXtW8So&t=5681s>. The scene in question happens at the 1 hour, 28 minutes, and 50 seconds mark.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 19, 2024

/s/ Robert Carnes

Robert Carnes